



Kern County Sheriff's Office Policies and Procedures

TITLE: RETIREE CONCEALED WEAPONS PERMIT			NO: J-2800
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: February 16, 2007	REVIEWED: 01/10/2022	REVISED: 01/10/2022	UPDATED: 06/22/2018

POLICY

This policy outlines the processes and conditions associated with the issuance, revocation, and denial of a concealed weapon (CCW) endorsement for retired deputy sheriffs, detentions deputies, deputy coroners, and eligible reserve deputies of the Kern County Sheriff's Office.

- The Sheriff may charge a reasonable fee to cover the expense of issuing a permit under this policy.

All retired deputy sheriffs, detentions deputies, deputy coroners, and eligible reserve deputies of the Sheriff's Office who were authorized to, and did, carry a firearm during their active employment by the Sheriff's Office, retired in good standing and who otherwise meet the requirements of 18 United States Code 926C as amended will, when requested by the retiree and after successfully completing a qualification course of fire, be issued a nation-wide permit to carry a concealed weapon.

- For the purpose of this policy, a retired reserve deputy must meet the specifications within Sheriff's Office Reserve Deputies Policies and Procedures Section G-300, which states the reserve deputy seeking retirement will have completed ten (10) years of accumulated time as a Kern County Sheriff's Reserve Deputy (level 1).
- No CCW Approved endorsement shall be issued to any deputy retiring after January 1, 1989 because of psychological disability (Penal Code § 26305(a)).

When requested by the retiree, the Sheriff's Office will issue all deputy sheriffs, detentions deputies, deputy coroners, and eligible reserve deputies, who retire in good standing, a California-only CCW permit pursuant Penal Code § 26300 in lieu of the nationwide CCW.

CCW PERMIT PROVISIONS

The CCW endorsement is voluntary and will only be issued at the request of the retired Sheriff's Office member. The CCW endorsement is authorized under law and is issued at the discretion of the Sheriff and may be denied on a showing of good cause. The CCW endorsement is contingent on the retiree remaining subject to Sheriff's Office rules and policies as well as all federal, state, and local laws (Penal Code § 26305(b)). The CCW endorsement issued under this policy does not create an employment or legal relationship between the County of Kern and the retired member. While the carrying of a concealed weapon may be authorized under state and federal law, as well as this policy, retired members do so at their own risk, in the capacity of private citizens, and not as peace officers.

**PROCEDURE A
OBTAINING AND MAINTAINING A NATIONWIDE CCW ENDORSEMENT**

Endorsement:

Sheriff's Office retirees who desire to carry a concealed weapon under the provisions of 18 USCS 926C will contact the Sheriff's Office Human Resources Section:

- A Concealed Weapons Qualification and Authorization form will be completed.
- The Background Investigations Unit may perform a criminal history check to ensure the retiree has no disqualifying issues.
 - A signed background investigation waiver form is required.
- Background Investigations Unit personnel will verify the retiree was employed as a law enforcement officer for at least an aggregate of 10 years.
 - Members who retired due to a service disability after completing the initial probationary period are exempt from the 10-year requirement.
 - For the purpose of Procedure A only, those separated from service in good standing are the same as retired members.
- The retiree will then contact the Training Section and schedule him/herself for the firearms qualification course.
- After passing the course, the retiree will take the Concealed Weapons Qualification and Authorization form back to the Human Resources Section.
- When the CCW endorsement requirements are satisfied, Human Resources personnel will issue an identification card indicating the retiree is authorized to carry a concealed weapon under the provisions of 18 USCS 926C.

Annual Updates:

The CCW endorsement under the provisions of 18 USCS 926C must be updated annually. In order to maintain the "CCW Approved" endorsement on an identification card, the retiree shall have the aforementioned tasks performed prior to the expiration date of the current endorsement, to include:

- The firearms training may be completed with any certified law enforcement agency firearms instructor. If training is completed with an agency outside of the Kern County Sheriff's Office, the retiree must provide a Qualification Completion form.
- After passing the course, the retiree will deliver the Concealed Weapons Qualification and Authorization form, along with the Qualification Completion form (if course completed is taken with a certified law enforcement agency firearms instructor other than the Kern County Sheriff's Office Training Section), to the Human Resources Section.
- Human Resources personnel will then issue an updated identification card indicating the retiree is authorized to carry a concealed weapon under the provisions of 18 USCS 926C.

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PROCEDURE B
OBTAINING AND MAINTAINING A CALIFORNIA ONLY CCW ENDORSEMENT

Retired deputy sheriffs, detentions deputies, deputy coroners, and eligible reserve deputies who wish to carry a concealed weapon **only** under California state law provisions (Penal Code § 26300) will contact the Sheriff's Office Human Resources Section:

- A Concealed Weapons Qualification and Authorization form will be completed.
- The Background Investigations Unit may perform a criminal history check to ensure the retiree has no disqualifying issues.
 - A signed background investigation waiver form is required.
- After the Human Resources Section confirms the retiree does not have any disqualifying issues, the retiree will be issued an identification card with a California **only** endorsement that indicates the retiree is not authorized to carry a concealed weapon under 18 USCS 926C.
 - If the member retired after January 1, 1981, the identification card must be updated every five years. The expiration date will be printed on the identification card. Cards may be updated by contacting the Human Resources Section and completing an updated Concealed Weapons Qualification and Authorization form.
 - Members who retired before January 1, 1981 are not required to petition the Sheriff every five years for a renewal of their certification nor must the certification be endorsed for concealed carry.
- The qualification course is not required for a California **only** endorsement.
- WHEN A RETIRED MEMBER DECLINES TO QUALIFY UNDER 18 USCS 926C AND IS ISSUED AN IDENTIFICATION IN ACCORDANCE WITH STATE LAW, HE/SHE IS AUTHORIZED TO CARRY A CONCEALED WEAPON IN CALIFORNIA ONLY.

PROCEDURE C – FIREARM QUALIFICATION COURSE

The firearms qualification course mentioned in Procedure A shall consist of a course of fire to be established by the Sheriff's Rangemaster or his/her designee.

- The course of fire will ensure the retiree can safely load, unload, and check the firearm to verify that it is clear of all ammunition and shoot it with acceptable accuracy.
- The qualification course may include instruction concerning policy and law relevant to the retiree's CCW status.
- After the qualification course, the Rangemaster, or his/her designee, will note the qualification score (pass/fail), ensure it is entered into the Training Range Schedule/Maintenance program, and note on the Concealed Weapons Qualification and Authorization form whether the retiree did, in fact, qualify.

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If a retiree fails the qualification course, he/she will be given one opportunity to complete the course again. Should he/she fail to qualify a second time, no CCW endorsement will be issued and existing CCW endorsements will be revoked.

- Applicants who fail to qualify under this policy may reapply after one (1) year or upon presentation of a certificate indicating successful attendance in a firearms training course.

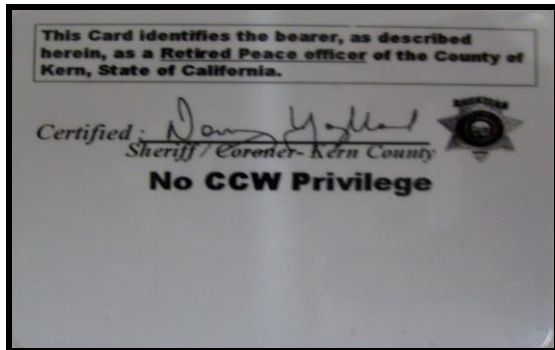
DIRECTIVE A – CARRYING FIREARMS OUT OF STATE

Subject to 18 USCS 926C and Sheriff’s Office policy, qualified retirees of this agency may be authorized to carry a concealed weapon in other states.

PROCEDURE D – IDENTIFICATION CARD FORMAT

The identification card issued to any qualified and honorably retired deputy shall be two inches by three inches and minimally contain the following (Penal Code § 25460(c)):

- Photograph of the retiree.
- Retiree’s name and date of birth.
- Date of retirement.
- Name and address of this agency.
- A stamped endorsement “CCW Approved” along with the date by which the endorsement must be renewed. In the case in which a CCW endorsement has been denied or revoked, the identified card shall be stamped “No CCW Privilege.”
- If applicable, a notation that “This person is in compliance with 18 USCS 926C (d) (1).”



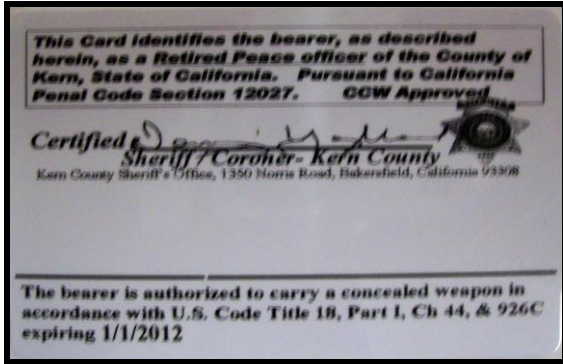
No CCW Endorsement



California Only Endorsement

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National Endorsement

PROCEDURE E – DENIAL OR REVOCATION OF CCW ENDORSEMENT

The CCW endorsement for any qualified retiree from this agency may be denied or revoked only upon showing of good cause. Good cause, if challenged, shall be determined in the following manner:

- In the event that a CCW endorsement is initially denied, the retiree shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right. The hearing shall be held no later than 120 days after the request by the retiree for a hearing is received (Penal Code § 26310).
- Prior to revocation of any CCW endorsement, the Sheriff’s Office shall provide the affected retiree with written notice of temporary revocation by either personal service or first-class mail, postage prepaid, return receipt requested to the retiree’s last known address (Penal Code § 26312).
- The retiree shall have 15 days from the agency’s verification of service to file a written request for a hearing to determine if the temporary revocation should become permanent.
 - The hearing shall be held no later than 120 days after the request by the retiree for a hearing is received.
 - The failure to submit a timely written request for a hearing shall be deemed a waiver of such right and the authority of the officer to carry a firearm shall be permanently revoked.
- The hearing for the denial or revocation of any CCW endorsement shall be composed of three members, one selected by the agency, one selected by the retiree or his/her employee organization and one selected jointly (Penal Code § 26320).
- The decision of such hearing board shall be binding on the Sheriff’s Office and the retiree.
- Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender his/her identification card. The Sheriff’s Office will then reissue a new identification card which shall be stamped “No CCW Privilege.” (Penal Code §26325).

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DIRECTIVE B – WATCH COMMANDER RESPONSIBILITIES

Employees who have reason to suspect a retiree’s conduct has compromised public safety should notify the Personnel Division Commander or the Watch Lieutenant as soon as practical.

The Personnel Division Commander (or Watch Lieutenant if the notification occurs during non-business hours) should take the following steps in these instances:

- Take appropriate steps to promptly investigate the matter.
- If warranted, contact the retiree in person and advise him/her in writing of the following:
 - The retiree’s CCW endorsement is immediately and temporarily revoked.
 - The retiree will have 15 days to request a hearing to determine whether the temporary revocation should become permanent.
 - The retiree will forfeit his/her right to a hearing and the CCW endorsement will be permanently revoked if the retiree fails to respond to the notice of hearing within the 15-day period.
- A current copy of Penal Code § 26305, 26312, 26315, 26320, and 26325 should be attached to the written notice.
- In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, attempts should be made to make the above notice of temporary revocation through another peace officer. For example, if a retiree was arrested or detained by a distant agency, the request may be made that a peace officer of that agency act as the Sheriff’s Office agent to deliver the written notification.
- Notification of the temporary revocation should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 26312).
- The Personnel Division Commander or Watch Lieutenant will document the investigation, including the actions taken, and if applicable, any notification made to the retiree in a memorandum. The memorandum will be forwarded to the Sheriff via the chain of command.

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